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9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 HELEN and MARTIN YACK, on behalf of
14 themselves and all others similarly situated,

15 Plaintiffs,

16 v.

17 WASHINGTON MUTUAL, INC.; SUNLAN-
020105, LLC; SHERIFF'S DEPARTMENT,
18 COUNTY OF LOS ANGELES,
CALIFORNIA; CLERK'S OFFICE,
19 COUNTY OF BUTTE, CALIFORNIA; and
DOES 1-10,
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21 Defendants.
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Case No. C-07-5858 PJH

CLASS ACTION

**DECLARATION OF ADAM A.
LEWIS IN SUPPORT OF
DEFENDANTS SUNLAN-020105, LLC
AND WASHINGTON MUTUAL
BANK'S REPLY IN SUPPORT OF
MOTION TO DISMISS**

Date: June 25, 2008
Time: 9:00 a.m.
Place: Courtroom 3, 17th floor
Hon. Phyllis J. Hamilton

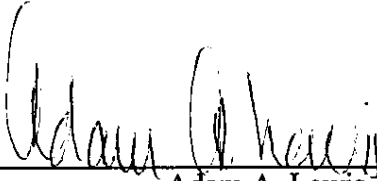
1 I, Adam A. Lewis, declare as follows:

2 I am an attorney licensed to practice law in the State of California and am admitted to
3 practice before this Court. I am a member of the law firm of Morrison & Foerster LLP, counsel
4 for Defendant Washington Mutual Bank ("Washington Mutual"). I submit this Declaration in
5 Support of Defendants Sunlan-020105, LLC and Washington Mutual Bank's Reply in Support of
6 Motion to Dismiss. I make this Declaration based on personal knowledge. If called as a witness,
7 I would testify to the facts set forth below.

8 1. On June 10, 2008, I attended in person the hearing on the Motion to Request
9 Abandonment Pursuant to Bankruptcy Rule 6007 (the "Motion") brought by Helen and Martin
10 Yack (the "Yacks") in their reopened case under chapter 7 of the Bankruptcy Code, *In re Yack*,
11 United States Bankruptcy Court, Eastern District of California, Case No. 07-25642-C-7. Also
12 appearing was Howard Givens, Esq., of Hefner, Stark & Marois, LLP, counsel for chapter 7
13 trustee Michael Daquisto. There were no other appearances, including none for the Yacks, who
14 did not file any reply to the trustee's or Washington Mutual's written oppositions to the Motion.

15 2. Judge Christopher Klein orally denied the Motion without prejudice, indicating
16 that he would memorialize his decision with a minute order.

17 I declare under penalty of perjury under the laws of the United States of America that the
18 foregoing is true and correct and that this Declaration was executed in Sacramento, California, on
19 this 10th day of June, 2008.

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21 
Adam A. Lewis